

Management System: Civil Rights and Diversity

Subject Area:

Equal Employment Opportunity

Management System Owner: Regina Neal
Point of Contact: Sheila Gilliam

Issue Date: 9/6/2012
Revision: 0

1.0 Introduction

This subject area provides the Environmental Management Consolidated Business Center (EMCBC) with policies, procedures and guidance relating to the processing of employment discrimination complaints that provide equal opportunity in employment and prohibits discrimination in employment because of race, color, religion, sex, national origin, age, disability, or retaliation. This subject area also provides the EMCBC with guidance for the compliance for applicants and/or recipients of Federal financial assistance and ensures nondiscrimination on the basis of race, color, and national origin in programs and activities that receive federal financial assistance.

- Process complaints of discrimination to ensure timely, fair, and impartial consideration, investigation, and disposition.
- Implement Alternative Dispute Resolution (ADR) and ensures availability in the resolution of complaints of discrimination and employee concerns.
- Develops and implements Affirmative Employment Programs to achieve required employment goals.
- Provides employees and applicants with disabilities reasonable accommodations, as appropriate.
- Conducts pre-award and post-award review of grants.

2.0 Contents

Procedures	Procedure Content
1. File an Equal Employment Opportunity Complaint	<ul style="list-style-type: none">• Contact an EEO Counselor within 45 days of alleged discriminatory event.• Alternative Dispute Resolution.• File a Formal Complaint.• Investigate the complaint.

	<ul style="list-style-type: none"> • Final Agency Order.
2. Request Reasonable Accommodations	<ul style="list-style-type: none"> • Request reasonable accommodation. • Clarify needs and identify the appropriate reasonable accommodation. • Contact the proper organizations for support. • Contact Equal Employment Opportunity (EEO)/Diversity Manager.
3. PD-311-04 Disabled Veterans Special Emphasis Program (DVSEP)	<ul style="list-style-type: none"> • Provides a policy that ensures disabled veterans are given equal opportunity through implementation of a local Disabled Veterans Affirmative Action Program Plan.
4. PS-311-01 EEO Policy Statement	<ul style="list-style-type: none"> • Affirms the EMCBC's commitment to Equal Employment Opportunity (EEO).
5. PS-311-02 Policy Against Sexual Harassment and Other Forms of Unlawful Harassment.	<ul style="list-style-type: none"> • Provides a policy that affirms the EMCBC responsibility in maintaining a workplace free from sexual harassment and other forms of unlawful harassment.

3.0 Exhibits/Forms

- [DOE F 1600.1, "Complaint of Discrimination"](#)
- Exhibit A – Guidance for the Interactive Process Between the Supervisor and Exhibit B – Guidance for Requesting Medical
- Exhibit C - Sample Letter for Requesting Medical Documentation Exhibit D – Sample Permission to Release Medical Information
- Exhibit E – Sample Letter Approving Request for Accommodation Exhibit F – Sample Letter Denying Request for Accommodation
- Exhibit G – Guidance for Interactive Discussion with Employee on Options Available After Non-Accommodation Determination Exhibit H – Sample Letter Option of Reassignment as an Accommodation
- Exhibit I – Reasonable Accommodation Resources Exhibit J - Frequently Asked Questions (FAQs)

- Exhibit K - Additional Information for the Computer/Electronic Accommodations Program (CAP)
- Exhibit L – Reasonable Accommodation Request Form

4.0 Related Information

- [Title VII of the Civil Rights Act of 1964](#)
- Section 501 of the Rehabilitation Act of 1973, as amended, [29 U.S.C. § 791](#)
- Americans with Disabilities Act of 1990, Titles I and V, as amended, 2008 ([42 U.S.C. 12101](#), et seq.)
- [Executive Order 13164](#) of 26 Jul 00(July 26, 2000)
- [29 Code of Federal Regulations \(C.F.R.\) §Part 1630](#)
- [EEOC Management Directive 715](#) (MD-715)
- [DOE EMCBC Equal Employment Opportunity Program Policy](#)
- DOE Reasonable Accommodation Procedure(g)
- [Family and Medical Leave Act](#)
- [EMCBC Telework Policy](#) (IP-322-03)
- [Public Transportation Subsidies Policy](#) (IP-344-01)
- Voluntary Leave Donation
- [Equal Employment Opportunity Commission \(EEOC\) Reasonable Accommodation](#) Web site

5.0 Requirements

Document	Title
DOE O 311.1B	<i>Equal Employment Opportunity And Diversity Program</i>
29 CFR 1614	<i>Federal Sector Equal Employment Opportunity</i>
29 Code of Federal Regulations (C.F.R.) §Part 1630	<i>REGULATIONS TO IMPLEMENT THE EQUAL EMPLOYMENT PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT</i>
EEOC-Management Directive MD-110	<i>Federal Sector Complaints Processing Manual (includes ADR)</i>
Executive Order 13164 (July 26, 2000)	<i>Requiring Federal Agencies To Establish Procedures To Facilitate the Provision of Reasonable Accommodation</i>

Rehabilitation Act of 1973	<i>29 U.S.C. 701</i>
10 CFR 1040	<i>Nondiscrimination in Federally Assisted Programs or Activities</i>
Technical Instruction	<i>EMCBC Reasonable Accommodations Adjudication</i>

6.0 Definitions

Definitions